

Showing Claim Amendments."

The Examiner has rejected applicants' claims 49-55 under the judicially created doctrine of obviousness-type double patenting based on claims 1-2 of U.S. Patent No. 5,719,984 taken in view of Shimada et al. (U.S. Patent No. 4,575,772). The Examiner has further rejected applicants' claims 49, 51-52 and 54-55 under 35 USC § 102(b) as anticipated by the Shimada, et al. patent. Finally, the Examiner has rejected applicants' claims 50 and 53 under 35 USC § 103(a) as unpatentable based on Shimada et al. With respect to applicants' claims, as amended, these rejections are respectfully traversed.

Applicants' independent claims 49, 51, 54 and 55 have been amended to better define applicants' invention. More particularly, independent claims 49 and 54 define the position of superimposition of ID data reproduced from a recording medium and image information reproduced from the recording medium, wherein the superimposition is performed in one of a first mode and a second mode. In the first mode, data of a first type contained in the ID data is superimposed. In the second mode, data of the first type and data of a second type, which is also contained in the ID data, are superimposed.

Amended independent claims 49 and 54 now recite in pertinent part:

... wherein the position at which the data of the first type is superimposed on a display screen in said first mode and the position at which the data of the first type is superimposed on a display screen in the second mode are different from each other.

Independent claims 51 and 55 are directed to the superimposition of image information, which is reproduced from a recording medium, with character information, which is converted from ID data reproduced from the recording medium. These claims have been amended to clarify that the position at which the character information is superimposed on a display screen is varied

according to the display mode, even when the character information to be superimposed is the same.

Amended independent claim 51 now recites in pertinent part:

... control means for changing a superimposing position on a display screen of the character information superimposed by the superimposing means according to a display mode set by the setting means;

wherein said control means vary, depending on the display mode, the position at which the character information is displayed, even when the character information is not changed.

Claim 55 similarly has been amended.

The above constructions of amended independent claims 49, 51, 54 and 55 permit the position at which information is superimposed on the display screen to be varied, as described in applicants' specification at page 89, lines 5-16 and shown in Figures 22(a) and (b). Such constructions are not taught or suggested by the cited art of record.

With respect to claim 49, the Examiner has stated that claim 1 of the '984 patent does not teach:

"providing means for superimposing the image information read out from the recording medium with the ID information read out from the recording medium; wherein said superimposing means has a first mode in which data of a first type contained in the ID data is superimposed with the image information, and a second mode in which the data of the first type and data of a second type contained in the ID data are both superimposed with the image information; and wherein the position at which the data of the first type is superimposed in said first mode and the position at [which] the data of the first type is superimposed in the second mode are different from each other."

Citing the Shimada et al. patent, the Examiner argues that it would have been obvious to provide claim 1 of '984 with "the capability of superimposing characters on the video signal

reproduced from the recording medium as taught by Shimada et al. in order to simplify superimposing characters on the video signal in recording and reproducing modes."

The Shimada patent relates to data recording and discloses that 2 bit ID signals ("11," "01," "10") represent types of information to be recorded in the PCM recording section (col. 4, lines 1-29). The audio signal and character video signal can be recorded in the PCM recording section. When the ID signal is "11," the character video signal is stored in both of tracks DATA 1 and DATA 2 of the PCM recording section. The character video signal is composed of 192 vertical dots and 256 horizontal dots (Fig. 4; col. 4, lines 57-67). As noted by the Examiner, Shimada et al. also discloses that the video signal reproduced from the video recording section of the tape and the character video signal reproduced from the PCM recording section are superimposed and outputted (Fig. 1).

However, the Shimada et al. patent fails to teach or suggest that the position of superimposition of the character video signal varies according to a display mode. Particularly, in Shimada et al., the position of superimposition of the character video signal to be controlled is the position in the time axis (col. 5, lines 63; Figures 5E and 5F), and not the position on the display screen, as claimed in amended independent claim 49. The Shimada et al. patent fails to teach or suggest that the position of superimposition on a display screen of the data of a first type depends on whether the mode is the first mode or the second mode. Accordingly, applicants respectfully submit that claim 49, as amended, distinguishes over the Shimada et al. patent, taken alone or in combination with claim 1 of the '984 patent.

With respect to claim 51, the Examiner has stated that claim 1 of the '984 patent does not teach:

"providing reading means for reading the information signal and ID information of the information signal from the recording medium;

conversion for converting the ID information read out from the reading means into a character information; setting means for setting a display mode of the character information converted by the conversion means on the display device; superimposing means for superimposing the information signal with the character information converted by the conversion means to output the information signal superimposed with the character information to the display device; and wherein the control means vary, depending on the display mode, the position at which the character information is displayed, even when the character information is not changed."

Citing the Shimada et al. patent, the Examiner again argues that it would have been obvious to provide claim 1 of '984 with "the capability of superimposing characters on the video signal reproduced from the recording medium as taught by Shimada et al. in order to simplify superimposing characters on the video signal in recording and reproducing modes."

However, as discussed above, the Shimada et al. patent fails to teach or suggest that the position of superimposition of the character video signal varies according to a display mode. Particularly with respect to amended claim 51, the Shimada et al. patent fails to teach or suggest that the position at which the character information is superimposed is varied according to the display mode, even when the character information is not changed. As stated above, in the presently claimed invention, it is the position on the display screen that is varied according to display mode even when the character information is not changed, and not the position on a time axis as taught by the Shimada et al. patent. Accordingly, applicants respectfully submit that claim 51, as amended, distinguishes over the Shimada et al. patent, taken alone or in combination with claim 1 of the '984 patent.

Independent method claims 54 and 55 were rejected for the same reasons as corresponding claims 49 and 51, respectively. Applicants submit that claims 54 and 55, as amended, are patentable for the same reasons as discussed above with respect to claims 49 and

51, respectively.

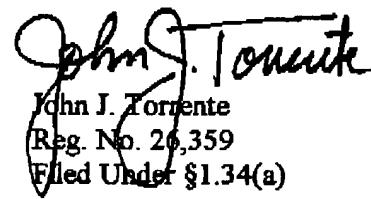
Applicants' amended independent claims 49, 51, 54 and 55, and their respective dependent claims, thus patentably distinguish over the Shimiada, et al. patent taken alone or in combination with claims 1-2 of the '894 patent.

In view of the above, it is submitted that applicants' claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

If the Examiner believes that an interview would expedite consideration of this Amendment, a request is made that the Examiner telephone applicants' counsel at (212) 682-9640.

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Respectfully submitted,



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Attachment A – Marked-Up Version Showing Claim Amendments

Amend claim 49 as follows:

– 49. A reproducing apparatus for reading out image information and ID data of the image information from a recording medium recorded with the image information and the ID data of the image information to output the information and the ID data thereof to a display device, comprising:

means for reading out the image information and the ID data corresponding to the image information from the recording medium;

means for superimposing the image information read out from the recording medium with the ID information read out from the recording medium; and

output means for outputting the image information and the ID information superimposed by the superimposing means to the display device;

wherein said superimposing means has a first mode in which data of a first type contained in the ID data is superimposed with the image information, and a second mode in which the data of the first type and data of a second type contained in the ID data are both superimposed with the image information and;

wherein the position at which the data of the first type is superimposed on a display screen in said first mode and the position at which the data of the first type is superimposed on a display screen in the second mode are different from each other. --.

Amend claim 51 as follows:

-- 51. A reproducing apparatus for reading out information signal from a recording medium to output the signal to a display device, comprising:

reading means for reading the information signal and ID information of the information signal from the recording medium;

conversion means for converting the ID information read out from the reading means into [a] character information;

setting means for setting a display mode of the character information converted by the conversion means on the display device;

superimposing means for superimposing the information signal with the character information converted by the conversion means to output the information signal superimposed with the character information to the display device; and

control means for changing a superimposing position on a display screen of the character information superimposed by the superimposing means according to a display mode set by the setting means;

wherein said control means vary, depending on the display mode, the position at which the character information is displayed, even when the character information is not changed.

-- Amend claims 54-55 as follows:

— 54. A method for controlling a reproduction apparatus which reads an image information and ID data of the image information from a recording medium recorded with the image information and the ID data and output the image information and the ID data to a display device, the method comprising steps of:

reading out the image information and the ID data corresponding to the image

information to be reproduced from the recording medium;

superimposing the image information and the ID data read from the recording medium; and

outputting the image information superimposed with the ID data to the display device;

wherein said superimposing step has a first mode in which data of a first type contained in the ID data is [superposed] superimposed with the image information, and a second mode in which data of the first type and data of a second type are both [is superposed] superimposed with the image information; and

wherein the position at which the data of the first type is superimposed on a display screen in said first mode and the position at which the data of the first type is superimposed on a display screen in the second mode are different from each other. --.

- 55. A method for controlling a reproduction apparatus for reading an information signal from a recording medium and outputs the information signal read from the recording medium to a display device, the method comprising steps of:

reading the information signal and [an] ID information of the information signal from the recording medium;

converting the ID information read in the reading step into [a] character information;

setting a display mode of the converted character information on the display device; and

superimposing the information signal with the converted character information to output the information signal superimposed with the converted character information to the

display device;

wherein the superimposing position on a display screen of the character information is controlled in the superimposing step according to the display mode set in the setting step; and

wherein, in the superimposing step, the position at which the character information is displayed is varied depending on the display mode, even when the character is not changed. —.